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January 24, 1996

DOCKET FILE COPY ORIGINAL

Federal Communications Commission
Office of the Secretary
1919 M Street, N.W.
Washington, D.C. 20554

Re: MM Docket #95-176

Dear sir/ms:

Enclosed are four copies of our response to the above-captioned notice of inquiry. The original was mailed to you yesterday.

Sincerely,

Jane K. Alper
Senior Staff Attorney

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January 23, 1996

Federal Communications Commission
Office of the Secretary
1919 M Street, N.W.
Washington, D.C. 20554

Re: MM Docket #95-176

Dear sir/ms:

The following is the response of the Disability Law Center (DLC) to the Notice of Inquiry on closed captioning and video description of television programming.

DLC is the federally designated protection and advocacy agency in Massachusetts for individuals with developmental disabilities established and funded pursuant to 42 U.S.C. § 6012. We represent individuals with disabilities of all types in cases involving discrimination, access to programs and services, and access to assistive technology.

As the senior attorney in DLC's discrimination unit, I have represented many people who are deaf, blind, or otherwise sensorily impaired in cases involving access to employment, housing, programs and services, and assistive technology. Almost without exception, lack of accessible communication in every aspect of their lives is the major problem these clients face.

The importance of closed captioning and video description of television programs for people who are deaf, hard of hearing or visually impaired is obvious. Without closed captioning, television is completely inaccessible to deaf people. Blind people and people with impaired hearing obtain limited benefit from television programming in the absence of video description and closed captioning, respectively.

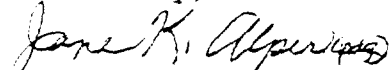
The failure of the Americans With Disabilities Act to require television and film producers to provide closed captioning and video description in all programming is one of

the greatest disappointments in the law. By failing to ensure television access for people with visual and hearing impairments, Congress effectively denied a segment of the disabled population access to what is arguably the most important source of information and recreation in the country. The FCC can remedy this omission by administrative action, and we urge it to do so.

On a personal note, I lived in Sweden for half a year and learned the language well enough to read, but not well enough to understand normal conversation. Since a great deal of the programming on Swedish television was foreign, with Swedish subtitles, I enjoyed watching German, Russian, Czech and other foreign language programs with the help of the captions. However, I was unable to get much out of Swedish language programs because of the absence of captions. My experience made me aware of how valuable captioning would be for another large segment of the population--people with limited knowledge of English.

I hope that this input is helpful to you.

Sincerely,



Jane K. Alper
Senior Staff Attorney